

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

WOODROW PRICE, III

CHAPTER 13:

NO. 15-03421 NPO

**TRUSTEE'S
OBJECTION TO AMENDED UNSECURED PROOF OF CLAIM**

COMES NOW, Letitia Johnson, on behalf of Trustee, James L. Henley, Jr., and files this Objection to the Amended Unsecured Proof of Claim of Jerry Baughman (Claim No. 5-3) and in support thereof, would show unto the Court the following:

1. The Amended Proof of Claim (Claim No. 5-3) filed by Jerry Baughman states an unsecured claim amount of \$200,000.00.
2. The Claimant purports the basis of this claim as a vehicular accident which resulted in medical injuries, lost wages and vehicle damage which constituted a total lost; however, the claimant does not offer proof of liability adjudicated by law.
3. 11 U.S.C. § 502 (b)(1) provides, except as provided in subsections (e)(2), (f), (g), (h) and (i) of this section, if such objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that—
 - (1) such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured...

4. The claimant does not have judgment from any court rendering the Debtor liable for the underlying issue giving basis for the claim.
5. The Trustee believes the amount of Debtor's potential liability is undetermined and may not become ascertainable during this bankruptcy proceeding.
6. Therefore, the claim should not be allowed in order to prevent undue delay of the administration of the case, unless the Claimant can render proof of adjudication.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this Objection be received and filed and at the hearing hereon an Order be entered in consideration of this Response and any other general relief to which the Trustee and this bankruptcy estate may be entitled.

DATED: April 14, 2016

Respectfully Submitted,

/s/ Letitia Johnson
Letitia Johnson MSB #102724
Attorney on behalf of
Standing Chapter Thirteen Trustee
James L. Henley, Jr. MSB #9909
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CERTIFICATE OF SERVICE

I, Letitia Johnson, do hereby certify that I have this day submitted a true and correct copy of the above and foregoing Objection to the following, all by U.S. Mail, postage prepaid, and/or electronic, ECF filing, to: Ron McAlpin, Asst. U. S. Trustee, USTPRegion05.JA.ECF@usdoj.gov, 500 E. Court Street, Suite 6.430, Jackson, MS 39201, and

Attorney for Debtor:

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Creditor

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DATED: April 14, 2016

/s/ Letitia Johnson
LETITIA JOHNSON